

Commissioners' Court in certain counties to furnish the juvenile officer an automobile and to make allowances for expenses of such officer and his assistants as the Court may think proper; and declaring an emergency."

S. B. No. 141, A bill to be entitled "An Act to amend Section 1 of Article XV of House Bill No. 8, Acts of the Forty-seventh Legislature so as to provide that transfers pursuant to an order of the Federal Securities and Exchange Commission which specifies and itemizes the securities ordered by it to be delivered or transferred, shall not be subject to the tax imposed and levied by said Section 1, and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act amending Article 1302, Chapter 1, Title 32 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new subdivision to be known as 'Subdivision 106,' providing for the creation of private corporations for the purpose of operating a general commissary business and to buy, sell, and otherwise deal in goods, wares, merchandise, and equipment incident to such business, and declaring an emergency."

H. B. No. 584, A bill to be entitled "An Act amending Acts 1939, Forty-sixth Legislature, page 605, Section 1, in all counties having a population of more than 140,000 inhabitants and less than 338,000 inhabitants according to the present Federal census, General or Special, providing for the compensation of County Purchasing Agents and their assistant; and declaring an emergency."

H. C. R. No. 124, Making certain corrections in H. B. No. 584.

H. B. No. 674, A bill to be entitled "An Act to amend Article 666, General and Special Laws of Texas, 48th Legislature, Regular Session of 1943, to provide for a method of selling, disposing or transferring of State property which has become unfit for use, or no longer needed; providing a notice of sale; providing for disposition of monies received from sale; and providing for a final report covering sale and disposition; and declaring an emergency."

Adjournment

Senator Aikin moved that the Sen-

ate recess to 2:30 o'clock p. m., today.

Senator Chadick moved that the Senate adjourn until 10:30 o'clock a. m., Monday, May 19, 1947.

Question first recurring on the motion of Senator Chadick, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—16

Bullock	Lane
Carney	Moffett
Chadick	Morris
Crawford	Stanford
Hardeman	Taylor
Harris	Tynan
Kelly of Tarrant	Vick
Knight	Winfield

Nays—9

Aikin	Phillips
Cousins	Proffer
Hazlewood	Stewart
Jones	York
Parrish	

Absent

Brown	Ramsey
Kelley of Hidalgo	

Absent—Excused

Mauritz	Weinert
Strauss	

The Senate, accordingly, at 1:30 o'clock p. m., adjourned until 10:30 o'clock a. m., Monday, May 19, 1947.

SIXTY-EIGHTH DAY

(Monday, May 19, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present.

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator York, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 15, 1947, was dispensed with and the Journal approved.

Leave of Absence Granted

Senator Ramsey was granted leave of absence for today on account of important business on motion of Senator Lane.

Senate Resolution 106

(Extending Privileges of Floor)

Senator Moffett offered the following resolution:

Whereas, The Senior Class of Chillicothe High School, accompanied by their Senior Class sponsor, Miss Lucille Dunson, and Mr. B. V. Newberry, is in the gallery of the Senate; and

Whereas, This group has come to the State Capitol to see the Legislature in action; and

Whereas, All members of the Senate are interested in the high school students of Texas, who will be the citizens of tomorrow; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we bid welcome to Miss Lucille Dunson, Mr. B. V. Newberry, and the Senior Class, and that Miss Dunson and Mr. Newberry be granted the privilege of the floor; and we trust that their visit to the Capital City of Texas will be pleasant, profitable, instructive; and that the Secretary of the Senate be directed to send a copy of this Resolution to the Senior Class of Chillicothe High School.

The resolution was read and was adopted.

Reports of Standing Committees

Senator Moffett submitted the following report:

Austin, Texas,
May 19, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred House

Bill No. 816, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Chadick submitted the following report:

Austin, Texas,
May 19, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Public Debts, Claims and Accounts, to whom was referred House Bill 604, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CHADICK, Chairman.

Senator York submitted the following report:

Austin, Texas,
May 19, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred House Bill No. 110, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

YORK, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 19, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

S. C. R. No. 43, To correct House Bill No. 21.

The House has adopted the Conference Committee Report on House Bill No. 10 by a vote of 108 ayes and 0 noes.

The House has granted the request of the Senate for a Conference Committee on Senate Bill No. 391.

The following have been appointed on the part of the House: Gilmer, McLellan, Kirkpatrick, Moore of Val Verde, Miller.

S. B. No. 182, Amending Section 1,

Article 2742J, Revised Civil Statutes of the State of Texas of 1925, providing for the changing of a common school district to an independent school district; establishing the procedure thereof; providing for the appointment and subsequent election of a Board of Trustees.

S. B. No. 152, Changing the name of the Deaf, Dumb, and Blind Asylum for Colored Youths and Colored Orphans, so as to be hereafter known as Texas Blind, Deaf and Orphan School; and declaring an emergency.

S. B. No. 124, Providing for the appointment of Notaries residing within the limits of a county containing an incorporated city, town or village, partially located in another county, but providing that such person is authorized to act only in the county for which such appointment is made.

S. B. No. 217, To amend Article 6698, Revised Civil Statutes of Texas, 1925, so as to provide that any incorporated city or town in the State of Texas shall be authorized and empowered to levy and collect a city permit fee or a street rental charge on motor vehicles transporting passengers for hire under the provisions of a city ordinance and not under permit or certificate of the Railroad Commission of the State of Texas or the Interstate Commission; etc., and declaring an emergency. (With amendment.)

S. B. No. 389, Amending Article 6869, Revised Civil Statutes of Texas of 1925, as amended by Acts, 1929, 41st Legislature, First Called Session, page 283, Chapter 113, Section 1, by adding a new section thereto, to be known as Article 6869-f, authorizing sheriffs in certain counties to employ additional deputies to be paid such salaries as authorized by the Commissioners' Court of such counties; and declaring an emergency.

S. B. No. 414, Requiring any person hunting upon the private lands of another person in Hardeman County or Wilbarger County, to first obtain and have in his possession a written permit, etc., and declaring an emergency.

S. B. No. 415, Providing that Scobey Fireproof Storage Company, a corporation, shall be authorized to establish, operate and maintain a foreign trade zone at San Antonio, Bexar

County, Texas; etc., and declaring an emergency.

S. B. No. 418, To amend Article 2702, Revised Civil Statutes of 1925, as amended by Chapter 348, page 835, General Laws of Regular Session, 42nd Legislature, by adding a new section thereto creating county-wide equalization school districts in all counties containing a population of not less than twenty-four thousand (24,000) nor more than twenty-five thousand (25,000) according to the last preceding Federal Census, and containing a valuation of Twenty-seven Million Five Hundred Thousand (\$27,500,000.00) Dollars or more; etc., and declaring an emergency.

S. B. No. 411, A bill to be entitled "An Act making it unlawful for any person to hunt, snare, kill, or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn, or wild turkey in Throckmorton and Haskell Counties for a period of five (5) years from and after the passage of this act; providing a penalty therefor; and declaring an emergency."

S. B. No. 298, A bill to be entitled "An Act repealing Senate Bill No. 192, Chapter 59, page 98, Acts of the 41st Legislature, Second Called Session, as amended by House Bill No. 1108, Chapter 226, page 576, Acts of the 45th Legislature, Regular Session, 1937 (Article 2327A, Vernon's Annotated Civil Statutes); and declaring emergency."

S. B. No. 309, A bill to be entitled "An Act to amend Section 95a and Section 95b of Article 1302 of the Revised Civil Statutes of Texas by substituting in lieu thereof a new section, to be known as Section 95a of Article 1302, Revised Civil Statutes of Texas; providing that corporations may be formed for the purpose of dealing in agricultural commodities, poultry, dairy products, livestock, locker plants; to manufacture ice and non-intoxicating beverages; and for other allied purposes; and declaring an emergency."

S. B. No. 316, A bill to be entitled "An Act amending Section 1 of Chapter 290 of the Acts of the Forty-first Legislature, Regular Session, 1929 (Article 2815-h, Revised Civil Statutes of Texas) governing the creation of junior colleges, by adding thereto a new subsection to be numbered

Section 1 (a) providing that if the assessed valuation of taxable property in the Independent School District or city which has assumed control of its school is \$20,000,000.00 or more, and the State Board of Education finds that such district or city is in a growing section and that there is a public convenience and necessity for such junior college, then such district or city may have fewer than 400 but not more than 300 students in the last four years of classified high school or high schools; and declaring an emergency."

S. B. No. 398, A bill to be entitled "An Act to fix the rate of tax to be levied for school purposes in all independent school districts which now levy a total tax of \$1.50 per \$100 assessed valuation of taxable property for maintenance purposes and bond interest and sinking fund purposes, wherein a public free school building may have burned or may burn or be destroyed by fire, whether such independent school district was organized under general or special laws; repealing all laws in conflict herewith, both general and special; and declaring an emergency."

S. B. No. 181, A bill to be entitled "An Act providing for the dissolution of consolidated county line school districts under certain conditions; providing a procedure to be followed in such dissolutions; providing for the assumption of the debt, bonded or otherwise, of any such consolidated county line school districts dissolved under the provisions of this Act; and declaring an emergency."

S. B. No. 253, A bill to be entitled "An Act making an appropriation of \$7,748.30 to the College of Mines and Metallurgy, a branch of The University of Texas, at El Paso, Texas, for the purpose of constructing and equipping buildings and other permanent improvements at said College; and declaring an emergency."

S. B. No. 293, A bill to be entitled "An Act amending Article 4800, Revised Civil Statutes of Texas, 1925, so as to authorize a Mutual Life Insurance Company to also issue, combined or separately, life, health, and accident insurance policies and declaring an emergency."

S. B. No. 351, A bill to be entitled "An Act amending Act 1929, 41st

Legislature, page 406, Chapter 187 as amended by Act 1931, 42nd Legislature, page 745, Chapter 292, Section 3, increasing the salary of the Assistant District Attorney in the 72nd Judicial District of Texas, and authorizing same to be paid out of the General Revenue Fund of the State; and declaring an emergency."

S. B. No. 373, A bill to be entitled "An Act amending Acts 1945, 49th Legislature, Chapter 304, page 488, Section 1, Subsections 1, 2, 3, 4, and 5 to include rural high school districts, and all other school districts within the provisions of the Act, and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act to amend Section 125 of Chapter 25 of Acts, 1925, 39th Leg., page 122, as amended by Acts, 1927, 40th Leg., First Called Session, page 496, Chapter 107, Section 18; and by Acts, 1929, 41st Leg., page 578, Chapter 280; and by Acts, 1933, 43rd Leg., page 564, Chapter 184, by adding thereto subdivision (4), so as to provide that it shall not be prerequisite to the sale by a water control and improvement district of land bid in by it at sales under foreclosure of its tax lien, or lien for charges or assessments, that said district formally find that such land is not reasonably required to carry out the plans of the district, or that it give any notice of its intent to sell the same, or that proceeds of such sale be applied as provided by subdivisions (1), (2), or (3), of said section; validating certain sales made by water improvement districts and water control and improvement districts; and declaring an emergency."

S. B. No. 302, A bill to be entitled "An Act amending Article 3912e, Section 13, Revised Civil Statutes of 1925, as amended, so as to provide that from effective date of this amendment, the salaries of certain county officers named in Section 13 of Article 3912e, in counties having a population of more than twenty thousand (20,000) inhabitants and less than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal census, shall be increased by twenty-five (25) per cent of the maximum amount that such officers are allowed as salary on the effective date of this Act; and declaring an emergency."

S. B. No. 197, Amending Articles 4808 and 4817, Revised Civil Statutes, 1925, as amended by Chapter 341, Acts 48th Legislature, relating to mutual life insurance companies; and declaring an emergency."

S. B. No. 252, A bill to be entitled "An Act amending Articles 2701 and 3888, Revised Civil Statutes of Texas, 1925, as amended; providing for an assistant to the ex-officio county superintendent of public instruction; providing for salary of such; providing for office and traveling expense for such ex-officio county superintendent; providing remuneration for such officials; repealing all laws and parts of laws in conflict herewith, providing a saving clause; and declaring an emergency." (With amendment.)

The House has concurred in Senate amendments to House Bill No. 257 by a viva voce vote.

S. C. R. No. 44, Authorizing the correcting of H. B. No. 821.

H. C. R. No. 136, Requesting the Governor to return House Joint Resolution No. 24 for correction.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Message from the Governor

The President laid before the Senate and directed the Secretary to read the following message received from the Governor today:

Austin, Texas,
May 19, 1947.

To the Members of the Fiftieth Legislature:

I take the liberty of addressing you further on the matter of labor legislation.

On May 13, I transmitted to you the findings of the Industrial Commission on the Odessa telephone controversy, together with the Commission's recommendations for legislation to promote industrial peace. I also presented certain recommendations of my own in this regard.

May I review these recommendations very briefly.

I proposed the establishment of a Department of Commerce and Labor to replace the Bureau of Labor Statistics, the Industrial Commission, and the Post-War Economic Planning Commission.

As recommended, the department would have three divisions:

Division of Commerce—for the promotion of trade and industry;

Division of Conciliation—for mediation, conciliation, and arbitration of labor disputes;

Division of Inspection—with substantially the same function as the present Bureau of Labor Statistics.

It was proposed that boxing and wrestling supervision be set up as a separate agency.

Bills are now being introduced to create the Boxing and Wrestling Commission; and to establish the Department of Commerce and Labor as suggested above.

In my judgment, it is of great importance to the proper functioning of our State government, to the economic development of our State, and to the promotion of the prosperity and wellbeing of our people that these two bills be enacted into law. I therefore submit them as emergency legislation, under the authority of Section 5, Article III of the Constitution of Texas.

I earnestly request the support of all members of the Legislature in the effort to pass these measures.

In my message of May 13, I went further to suggest machinery for voluntary arbitration in all certified disputes and for required arbitration in

(a) Disputes involving industries providing services essential to life, safety, and health of the people;

(b) Labor disputes involving interpretation of existing contracts;

(c) Jurisdictional strikes.

In reference to industries vested with a public interest, I pointed out that the whole of such businesses—their owners, operators, and employees, as well as their physical property—is dedicated to a public use and must be operated and maintained in the interest of the public. I suggested that it is essential to the protection of the public interest that disputes between management and employees of such utilities should have required arbitration when a suspension of essential service is threatened.

I said furthermore that everyone else had to submit disagreement over the meaning of contracts to decision by some disinterested tribunal, and I saw no reason why industry and labor should not do the same thing.

The Industrial Commission also recommended required arbitration in certain situations.

This, it seems to me, is an orderly, fair, and democratic way of handling these matters, and I renew my recommendation in this regard.

House Bill No. 403 by Representative George Nokes is on the calendar of the House.

The Industrial Commission found much merit in House Bill 403 and recommended it.

This measure has been amended and changed from its original version and now seems to me to be an acceptable proposal for mediation and conciliation.

I think, of course, that it should go further and provide required arbitration in those matters I mentioned above. This probably can be worked out during the legislative course of the message. It is my understanding that H. B. No. 403 is on the House Calendar today. I do not think action on it should be delayed. The additions which I have suggested can be given consideration at some other point in the legislative process. I respectfully suggest, therefore, that House Bill 403 be given as prompt consideration as you may deem practicable. This seems to me to be so necessary that I hereby submit House Bill 403 as emergency legislation, as contemplated under Section 5, Article III of the Constitution.

Texas is on the march. With almost unlimited natural resources, with ideal climate, and many other attractions for new and important industrial development, we face a future filled with great promise for the prosperity and happiness of all of our people. I think it will be the part of wisdom to provide now for the fair, equitable, and proper settlement of such management-labor difficulties as may arise in the course of the vast economic growth which lies ahead.

I sincerely believe that the measures I have suggested herein will lead to that goal. In that belief, I submit them for your consideration.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

Senate Resolution 107

(Extending Privileges of Floor)

Senator Strauss offered the following resolution:

Whereas, the Honorable R. Conroy Scoggins of Houston, Harris County, Texas is a visitor in the City of Aus-

tin and is now present in the gallery of the Senate, and

Whereas, Mr. Scoggins is an outstanding citizen of Harris County and formerly a citizen of Colorado County, Texas; now, therefore, be it

Resolved by the Senate, that he be given privilege of the floor for the day.

The resolution was read and was adopted.

Senate Bill 227 with House Amendments

Senator Hazlewood called S. B. No. 227 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate do not concur in the House amendments and that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Hazlewood, Brown, Aikin, Proffer and Strauss.

House Bill 773 Re-referred

On motion of Senator Moffett, House Bill No. 773 was withdrawn from the Committee on State affairs, and re-referred to the Committee on Counties and County Boundaries.

Conference Committee on House Bill 168

Senator Parrish called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 168 and moved that the request be granted.

The motion to grant the request prevailed.

Senate Resolution 108

(Welcome to Delegations from Fort Worth, Texas)

Senator Kelly of Tarrant offered the following resolution:

Whereas there is now present in the Senate gallery a delegation from

Fort Worth, Tarrant County, Texas, and delegations from other sections of Texas, and

Whereas the Senate will be glad to welcome these ladies and gentlemen; now, therefore be it

Resolved that the Senate extend a cordial welcome to these delegations.

The resolution was read and was adopted.

Conference Committee on House Bill 466

Senator Weinert called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 466 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Weinert, Lane, Hardeman, Cousins, and Ramsey.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

H. B. No. 10, A bill to be entitled "An Act amending the Workmen's Compensation Law of the State of Texas, Article 8306, Revised Civil Statutes of Texas, 1925, Sections 10, 11, and 12, raising the maximum weekly compensation payable to an injured workman; and declaring an emergency."

S. B. No. 276, A bill to be entitled "An Act amending the anti-trust laws of the State of Texas by amending Article 7428 of the Revised Civil Statutes of the State of Texas by adding subdivision 3 to provide that among other acts constituting a conspiracy in restraint of trade where any two or more persons, firms, corporations or associations of persons shall agree to boycott, or enter into any agreement or understanding to refuse to transport, deliver, erect, assemble, use or work with any goods, wares merchandise, article or product of any other person, firm, corporation or association of persons; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 269, A bill to be entitled "An Act amending the anti-trust laws of the State of Texas by amending Article 1634 of the Penal Code of the State of Texas by adding subdivision 3 to provide that among other acts constituting a conspiracy in restraint of trade where any two or more persons, firms, corporations, or associations of persons shall agree to boycott, or enter into any agreement or understanding to refuse to transport, deliver, erect, assemble, use or work with any goods, wares, merchandise, article or product of any other person, firm, corporation or association of persons; by amending Article 1644 of the Penal Code so as to provide that the foregoing Article (1943) shall not be held to apply to any combination or combinations, or to any act by any member of such trades union or other organization or association or any other person, or to an agreement between two or more persons, formed or taken for the purpose of limiting the production, transportation, use or consumption of labor's products; and declaring an emergency."

S. B. No. 362, A bill to be entitled "An Act to create the appointive office of assistant to the County judge in certain counties; and to provide an equitable and sufficient salary therefor; and to create the office of secretary to the county judge in such counties; and to provide an equitable and sufficient salary therefor; and declaring an emergency."

H. B. No. 111, A bill to be entitled "An Act providing that a husband and wife may by written agreement partition or exchange between themselves any part or all of their community property so that the former community interest of each spouse shall thereafter constitute the separate property of each spouse; and providing the terms under which such agreements may be made; providing that such instrument must be recorded in order to be effective against innocent purchasers for value; and repealing all Acts or parts of Acts in conflict herewith to the extent of such conflict only; and declaring an emergency."

H. B. No. 835, A bill to be entitled "An Act authorizing certain counties to construct, acquire, improve, operate and maintain causeways, bridges, tunnels, or combinations thereof, in,

over, through or under the waters of the Gulf of Mexico, or any bay or inlet opening therein; authorizing the issuance of revenue bonds for the financing of the same; authorizing the acquisition of property to be used in connection therewith; providing for certain items to be included in the cost thereof; etc., and declaring an emergency."

H. B. No. 742, A bill to be entitled "An Act making an appropriation from the General Fund to reimburse J. I. Driscoll, Clerk of the Court of Civil Appeals, Eighth Supreme Judicial District of Texas, for money paid to the Comptroller of the State of Texas, properly belonging to him, through error, during the years 1939, 1940, 1941, 1942, 1943, 1944, 1945, and 1946; and declaring an emergency."

H. B. No. 183, A bill to be entitled "An Act providing for transfer of moneys now on deposit in the State Treasury to the credit of the Special Game Fund, the Special Fish Propagation and Protection Fund, the Sand, Shell and Gravel Fund, Fish and Oyster Fund, the Medina Lake Fund, the Lake Worth-Eagle Mountain Lake Fund, to a single fund in the State Treasury to be known as the Special Game and Fish Fund; providing that moneys collected for the purposes for which said funds were created be deposited in the State Treasury to the credit of the Special Game and Fish Fund; designating purposes for which such moneys may be used; providing for disposition of money collected for sale of property purchased out of said funds; providing for an effective date of this Act; providing for expenditures; repealing conflicting laws; expressly retaining purposes of present fund expenditures; and declaring an emergency."

H. C. R. No. 128, Recalling H. B. No. 711 from the Senate.

H. C. No. 126, Granting each House permission to adjourn from Thursday, May 15, 1947, until Monday, May 19, 1947.

H. J. R. No. 13, A joint resolution amending Section 15 of Article XVI of the Constitution of the State of Texas, by adding thereto a provision that the husband and wife from time to time may in writing partition between themselves in severalty or into undivided interests all or any part of

their community property, whereupon without prejudice to the right of existing creditors the portion or interest set aside to each spouse shall be and constitute a part of the separate property of such spouse; further providing that such Constitutional Amendment if adopted shall be self-operative and self-executing; providing for the submission of this Amendment to the voters of this State; prescribing the form of ballot; providing for the proclamation and publication thereof; and providing for the necessary appropriation to defray the necessary expenses for the submission of this Amendment.

H. C. R. No. 131, Suspending the Joint Rules so as to allow the House of Representatives to consider Senate and House local and uncontested bills after 4:00 p. m., Thursday, May 15, 1947.

H. C. R. No. 102, Memorializing Congress to equalize disability retirement benefit requirements for enlisted men and officers.

Vote on Senate Concurrence in House Amendments to Senate Bill 131 Reconsidered

Senator Hazlewood moved to reconsider the vote by which the Senate concurred in the House Amendments to Senate Bill No. 131.

The motion to reconsider prevailed.

Question—Shall the Senate concur in the House Amendments to the bill?

Senator Hazlewood then moved that the Senate do not concur in the House Amendments and that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Hazlewood, Lane, Aikin, Morris and York.

Senate Bill 88 on Second Reading

Senator Carney moved to suspend the regular order of business to take up Senate Bill No. 88 for consideration at this time.

The motion prevailed by the following vote:

Yeas—18

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Proffer
Cousins	Stewart
Crawford	Strauss
Harris	Taylor
Hazlewood	Tynan

Nays—9

Hardeman	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York
Phillips	

Absent

Jones	Stanford
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Absent—Excused

Mauritz	Ramsey
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The President then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 88, A bill to be entitled "An Act amending Chapter 4 of Title 8 of the Code of Criminal Procedure by adding thereto Art. 632a providing that in the formation of juries the prospective jurors on their voir dire examination shall be examined by all parties collectively unless otherwise ordered by the court and declaring an emergency."

The bill was read second time.

Senator Kelley of Hidalgo offered the following amendment to the bill:

Amend Senate Bill No. 88 by adding the following at the end of Sec. 1:

Provided that nothing herein shall refer to the examination of any jurors in the trial of any felony case.

(Senator Jones in the Chair.)

Question—Shall the amendment be adopted?

On motion of Senator Weinert, further consideration of the bill was postponed until tomorrow morning, Tuesday, May 20, 1947.

Senate Bill 217 with House Amendments

Senator Vick called Senate Bill No. 217 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

On motion of Senator Vick, the Senate concurred in the House amendments.

Senate Bill 252 with House Amendments

Senator Crawford called Senate Bill No. 252 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

On motion of Senator Crawford, the Senate concurred in the House amendments.

Senate Bill 429 on First Reading

Senator Chadick moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York

Absent

Stanford

Absent—Excused

Mauritz	Ramsey
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The following bill then was introduced, read first time and referred to the Committee on Public Debts, Claims and Accounts:

S. B. No. 429, A bill to be entitled "An Act making appropriation to pay miscellaneous claims out of the Gen-

eral Revnue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claim shall be paid from the funds hereby appropriated the same shall have the approval of the State Comptroller and the Attorney General; and provided further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

Senate Bill 430 on First Reading

Senator Vick moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York

Absent

Stanford

Absent—Excused

Mauritz Ramsey

The following bill then was introduced, read first time and referred to the Committee on State Affairs:

S. B. No. 430, A bill to be entitled "An Act authorizing C. H. Harrison of Waco, Texas to bring suit against the State of Texas or the Texas Highway Department or the State Highway Commission, to recover damages for alleged breach of contract by the State of Texas and the Texas State Highway Department in the construction of a bridge across the Leon River in Bell County, Texas on State Highway 317.

Recess

Senator Morris moved that the Senate recess to 2:30 o'clock p. m., today.

Senator Moffett moved that the Senate adjourn until 10:30 o'clock a. m., tomorrow.

Question first recurring on the motion of Senator Moffett, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—11

Brown	Moffett
Carney	Taylor
Chadick	Weinert
Cousins	Winfield
Hardeman	York
Harris	

Nays—15

Aikin	Lane
Bullock	Morris
Crawford	Phillips
Hazlewood	Proffer
Jones	Stewart
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Knight	

Absent

Parrish Strauss
Stanford

Absent—Excused

Mauritz Ramsey

Question then recurring on the motion of Senator Morris, it prevailed.

The Senate, accordingly, at 11:55 o'clock a. m., took recess to 2:00 o'clock p. m., today.

Afternoon Session

The Senate met at 2:00 o'clock p. m., and was called to order by the President.

Senator Hardeman raised the point of order that there was not a quorum present.

The President directed the Secretary to call the roll.

The roll was called and the following Senators answered to their names:

Aikin	Hardeman
Brown	Harris
Bullock	Hazlewood
Carney	Jones
Chadick	Lane
Cousins	Moffett
Crawford	Morris

Phillips
Proffer
Stewart
Strauss
Taylor

Vick
Weinert
Winfield
York

The President announced that there was a quorum present.

Leave of Absence Granted

Senator Stanford was granted leave of absence for the remainder of the day on account of important business on motion of Senator Vick.

Senate Joint Resolution 12 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 12, Proposing an amendment to Section 5, Article 7, of the Constitution of the State of Texas.

The resolution was read second time.

On motion of Senator Proffer, the resolution was laid on the table subject to call.

Motion to Place Senate Bill 246 on Second Reading

Senator Cousins moved to suspend the regular order of business to take up Senate Bill No. 246 for consideration at this time.

The motion was lost by the following vote (not receiving the necessary two-thirds vote of the members present):

Yeas—16

Brown	Phillips
Cousins	Stewart
Crawford	Taylor
Harris	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Moffett	Winfield
Morris	York

Nays—9

Aikin	Hazlewood
Bullock	Lane
Carney	Proffer
Chadick	Strauss
Hardeman	

Absent

Kelley of Hidalgo	Parrish
Knight	

Absent—Excused

Mauritz	Stanford
Ramsey	

Message from the Governor

The following message received from the Governor today was laid before the Senate, read, and referred to the Committee on Nominations of the Governor:

Austin, Texas,
May 19, 1947.

To the Senate of the Fiftieth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Judge of the 114th Judicial District Court, term to begin June 16, 1947:

Honorable Nat W. Brooks of Tyler, Smith County.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

Senate Bill 302 With House Amendments

Senator Vick called S. B. No. 302 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Vick moved that the Senate do not concur in the House amendments and that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Report of Standing Committee

By unanimous consent the following report was submitted at this time:

Austin, Texas,
May 17, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 773, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 19, 1947.

Hon. Allan Shivers, President of the
Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 853, A bill to be entitled "An Act applicable to any City having a charter adopted or amended by a vote of the people with power to levy an ad valorem tax of \$2.50 on the one hundred dollars of assessed valuation which city has outstanding tax supported indebtedness equal to 15% or more of its assessed valuation, and has outstanding waterworks revenue bonds which will become optional within two years after passage of an ordinance authorizing additional bonds as herein provided; etc., enacting other provisions relating to this subject; and declaring an emergency."

H. B. No. 199, A bill to be entitled "An Act making an appropriation of One Thousand, Fifty-three and 16/100 Dollars (\$1,053.16), or so much thereof as may be necessary, out of the General Revenue Fund to pay taxes due by the State to a certain independent school district; and declaring an emergency."

H. B. No. 455, A bill to be entitled "An Act providing funds to soil conservation districts; manner of expenditures of such funds; providing the manner in which allocations shall be made, with certain limitations; and declaring an emergency."

H. C. R. No. 135, Instructing the Enrolling Clerk to correct House Bill No. 34.

H. B. No. 693, A bill to be entitled "An Act amending Article 2093c of the Revised Civil Statutes of the State of Texas, Acts 1941, 47th Legislature, page 156, Chapter 118, Section 1, which Act provides for the appointment of an assignment clerk for the District Courts in certain counties; providing that the District Judges in any County having two or more District Courts with civil jurisdiction may appoint an assignment clerk, providing for the salary for such assignment clerk, the term of

his office and the conditions of his appointment; and declaring an emergency."

H. B. No. 694, A bill to be entitled "An Act amending Section 8 of Subdivision 28 of Article 199, Revised Civil Statutes of the State of Texas, Revision of 1925, Acts 1925, page 244, 39th Legislature, Chapter 79, Section 1, as amended Acts 1927, 40th Legislature, page 89, Chapter 64, Section 1, amending Section 3 of Subdivision 117 of Article 199, Revised Civil Statutes of the State of Texas, Revision of 1925, as adopted and amended by the Acts of 1930, 41st Legislature, 5th C. S. page 224, Chapter 69, amending Section 3 of Subdivision 94 of Article 199, Revised Civil Statutes of the State of Texas, Revision of 1925, as amended Acts 1941, 47th Legislature, page 104, Chapter 84, as amended Acts 1945, 49th Legislature, page 45, Chapter 28, Section 1; establishing among other things the terms of the District Courts for the 28th Judicial District, 117th Judicial District and 94th Judicial District; providing for the administration of the business of said Courts, providing for the election of special judges in the case of absence, sickness or inability of the regular judges to act and preside in the District Courts of Nueces County with civil jurisdiction; and declaring an emergency."

H. B. No. 695, A bill to be entitled "An Act to amend Sections Nine (9) and Twelve (12) of Senate Bill No. 477, Acts 1937, 45th Legislature, page 1494-a, Chapter 506, relating to the purchase and redemption of property sold at tax foreclosure sales; providing methods for resale of property bought by taxing units or in the name of officers thereof, at tax foreclosure sales; validating certain sales heretofore made; limiting the times within which certain actions may be commenced attacking certain sales; providing that if any part, paragraph or provision of this Act be held invalid, such holding shall not affect the validity of any other part, paragraph or provision thereof; and declaring an emergency."

H. B. No. 705, A bill to be entitled "An Act amending Article 1056 of the Code of Criminal Procedure of 1925, as amended by Acts 1927, 40th Legislature, Page 255, Chapter 177, Section 1; as amended by Acts 1945,

49th Legislature, Page 371, Chapter 239, Section 2, providing for an increase in the pay for jurors in Justice Courts; repealing Article 2428, Revised Civil Statutes of 1925; and declaring an emergency."

H. B. No. 708, A bill to be entitled "An Act to amend Articles 2927 of the Revised Civil Statutes of Texas of 1925, by providing that no person who advocates the overthrow or abandonment of the present constitutional form of government or the adoption of any totalitarian form of government, shall be eligible to have his or her name printed on any official ballot used in general, special or primary elections; and declaring an emergency."

H. B. No. 785, A bill to be entitled "An Act authorizing the Commissioners' Courts of Counties having a population of less than 20,000 according to the last preceding Federal census, in which counties the Commissioners' Courts have authorized County Officials to be compensated on a salary basis, the Commissioners' Court of such Counties shall fix the salaries to be paid to County Officials, their deputies, clerks and assistants; repealing all laws in conflict, and declaring an emergency."

H. B. No. 762, A bill to be entitled "An Act to amend an Act providing for the standardization of citrus fruits grown in the State of Texas, same being H. B. No. 623, Acts of the Regular Session of the 43rd Legislature of the State of Texas, as amended and being Article 118A of Title 4, Chapter 6, Revised Statutes of 1925, by amending Section "12" of said Act to provide that said Act shall be self-financing; to eliminate the collection fees; to provide for the collection and receipt of contributions for services of grading and inspection required by said Act; to provide for cooperative agreements between the Commissioner of Agriculture and the U. S. Department of Agriculture and the Inspection Service of the Federal Production and Marketing Administration relative to the amounts of contributions to be received from dealers and shippers for inspection and grading services under the provisions of said Act; establishing maximum contributions for such services; providing that such contribution shall as nearly as possible conform to the cost of the maintenance of such serv-

ices; providing for the withholding of Inspection Certificates until contribution paid; providing that no inspector shall charge more than the contribution provided for services rendered; providing that all inspection and grading contributions received shall be handled and disbursed under the terms of the cooperative agreement; providing that the County Auditor of any County in which said Act is operative shall have full access to the books, vouchers, reports and financial records of the chief inspector at all times; providing that the County Auditor of any County in which said Act is operative shall have the right to make an audit of such books when in his judgment, or upon written request of the Commissioner; repealing Section 13 of H. B. No. 623, Acts of the Regular Session of the 43rd Legislature of the State of Texas; and declaring an emergency."

H. B. No. 844, A bill to be entitled "An Act to reorganize the Forty-third Judicial District of the State of Texas; providing for holding the District Courts and terms in said Judicial District; providing that the Judge of the Court may hold as many sessions of Court in any term of the Court in any county as is deemed proper and expedient; providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returnable to existing terms of the District Court in the counties composing said District together with jurors heretofore selected, are valid and returnable to the first such Court after this Act takes effect; providing that the County attorneys of the respective counties within said Forty-third Judicial District shall perform the duties of District Attorneys in their counties as well as the duties now performed by them, and providing fees of office for such County Attorneys; providing for the jurisdiction of said District Courts, and providing for the continuation of the existing District court in said counties in session when this Act takes effect to the end of its term; providing that partial unconstitutionality of this Act shall not affect the remainder thereof; repealing all conflicting laws; and declaring an emergency."

H. B. No. 817, A bill to be entitled "An Act limiting the number of fish of all kinds to be taken or caught

on any one day from Devils River, or the lakes situated thereon in Val Verde County, and limiting the possession of fish taken or caught therefrom; providing a penalty for violation of this Act; repealing all laws in conflict with this Act, and declaring an emergency."

H. B. No. 843, A bill to be entitled "An Act to amend Section 2 of Article 1 of Senate Bill No. 167, Acts of the 49th Legislature, 1945, relating to the State Equalization Law; and declaring an emergency."

H. B. No. 457, A bill to be entitled "An Act to amend Section 2 of Senate Bill 203, Chapter 103, Page 191, Acts of the 33rd Legislature providing the qualifications and for appointment of members of governing boards of certain Educational institutions, and declaring an emergency."

H. B. No. 842, A bill to be entitled "An Act regulating the taking and transportation for sale and the sale of minnows taken from the fresh waters of this state; requiring and providing for issuance of bit dealer's license and of minnow vehicle license; fixing the valid period of and fees for such licenses; prescribing size and death percentages for minnows in possession; providing for inspection of minnows and vehicles by any employee of the Game, Fish and Oyster Commission; providing for remittance, deposit and expenditure of moneys collected under this Act; fixing suitable penalty and license forfeiture for failure to comply with or for violation of this Act; providing an effective date for this Act; repealing conflicting laws or parts thereof; containing a saving clause and declaring an emergency."

H. B. No. 838, A bill to be entitled "An Act making an appropriation from the General Revenue Fund for the publication of certain proposed Constitutional Amendments; and declaring an emergency."

H. B. No. 641, A bill to be entitled "An Act making an appropriation to the Board of Directors of the Agricultural and Mechanical College of Texas for the purpose of completing the purchase of a Steam-Turbine Driven Electric Generator with auxiliaries at Prairie View University; and declaring an emergency."

H. B. No. 642, A bill to be entitled

"An Act making an appropriation to the Prairie View University for scholarship aid to qualified negro students for graduate and professional study outside of Texas; providing regulations therefor; and declaring an emergency."

H. B. No. 456, A bill to be entitled "An Act amending Article 1176 of the Penal Code of Texas, 1925; and declaring an emergency."

H. B. No. 665, A bill to be entitled "An Act authorizing the State of Texas and any of its designated agents or agencies with responsibility and authority for public education, such as the common and independent school boards, and boards of regents of State colleges and universities, the county school boards, or any other agency of and within the State by which a person may be employed in public education to make group insurance contracts effecting life, health, accident, accidental death and dismemberment and hospital, surgical and medical expense insurance upon their employees and their dependents; providing for the payment of the cost thereof; providing for the making of payroll deductions and keeping of records; and containing a saving clause with respect to constitutional invalidity; and declaring an emergency."

H. B. No. 468, A bill to be entitled "An Act continuing the Good Neighbor Commission of Texas and creating same as a permanent State Commission; prescribing certain powers and duties for said permanent State Commission; appropriating funds for its expenses during the 1947-1949 biennium; providing for transportation facilities for the Commission and for its Executive Secretary; and declaring an emergency."

H. B. No. 428, A bill to be entitled "An Act to amend parts of Chapter 1, Title 46 of the Revised Civil Statutes of Texas of 1925 as follows: by amending Article 2461 as amended by Acts of 1929, 41st Legislature, Page 46, Chapter 17; and by amending Article 2462, as amended by the Acts of 1929, 41st Legislature, Page 46, Chapter 17, and by the Acts of 1939, 46th Legislature, Page 221, Section 1, as amended by the Acts of 1945, 49th Legislature, Page 450, Section 1; and by amending Article 2463, as amended by the Acts of 1929, 41st Legislature, Page 46, Chap-

ter 17, Section 1, as amended by the Acts of 1929, 41st Legislature, Second Called Session, Page 168, Chapter 85, Section 1; and by amending Article 2477, as amended by Acts of 1929, 41st Legislature, Page 46, Chapter 17, Section 1, and Acts of 1939, 46th Legislature, Page 221, Section 3, and by Acts of 1945, 49th Legislature, Page 450, Chapter 282, Section 2; and by amending Article 2481, as amended by Acts of 1945, 49th Legislature, Page 450, Chapter 282, Section 3, and including an emergency."

H. B. No. 485, A bill to be entitled "An Act amending Senate Bill No. 338, Acts 1945, 49th Legislature, Chapter 338, page 552, Section 4, providing that certain exemptions from the payment of dues, fees and charges in State institutions of higher education, as provided by law, and especially to the benefits provided in Acts 1933, 43rd Legislative, First Called Session, page 10, Chapter 6 and amendments thereto shall apply to and include honorably discharged members of the Armed Forces of the United States who are eligible for certain benefits provided by the United State Government; providing that persons entitled to such benefits may elect at the beginning of any school semester as to whether he or she shall receive the benefits provided herein and by other State laws, or those provided by the Federal Government, but not both; providing that such election may be changed at the end of any semester at the will and pleasure of the beneficiary; authorizing the governing boards of said institutions to enter into contracts with the United States Government for furnishing benefits to such ex-servicemen and women under certain conditions; repealing all laws in conflict herewith; providing a severable and savings clause; and declaring an emergency."

H. B. No. 454; A bill to be entitled "An Act to amend Title 91, Article 5523-a, Revised Civil Statutes of 1925, by adding thereto another Article to be designated Article 5523-b, providing that no action to enforce an implied lien growing out of exchange or partition of real property shall be brought after ten years from the recording of the deed or other conveyance on which the lien is

sought to be enforced; and declaring an emergency."

H. B. No. 417, A bill to be entitled "An Act making it unlawful to construct, maintain, or operate a bridge, causeway, pier, dock or any other structure on or across any tidewaters in this State without a permit from the Game, Fish and Oyster Commission of the State of Texas; providing for the issuance of said permit; providing the appropriate penalties for a violation of any provision of this Act; providing other remedies for the enforcement; and declaring an emergency."

H. B. No. 422, A bill to be entitled "An Act amending Article 2675-b-1, Vernon's Revised Civil Statutes, the same being House Bill 79, Acts 1929, 41st Legislature, Second Called Session, Chapter 10, page 12, Section 1, providing certain qualifications for members of the State Board of Education; providing for filling vacancies in certain contingencies; containing a savings clause; and declaring an emergency."

H. B. No. 202, A bill to be entitled "An Act amending Section 6 of Article III of House Bill No. 8, Acts Forty-fourth Legislature, Third Called Session, as amended and reenacted by H. B. No. 377, Acts of the Regular Session, Forty-fifth Legislature, exempting from taxation any admission collected for dances, moving pictures, operas, plays and musical entertainments, all proceeds of which inure exclusively to the benefit of State, religious, educational or charitable institutions, organizations, or societies, or for any type of exhibition or amusement conducted by and for which all of the net proceeds inure to the benefit of a nonprofit corporation, organized and chartered under the laws of the State of Texas, for the purpose of encouraging agriculture by the maintenance of public fairs and exhibitions of live stock, and declaring an emergency."

H. B. No. 163, A bill to be entitled "An Act to amend Section 1, Chapter 39, Acts of the Regular Session of the 44th Legislature, regulating petitions in suits for divorce, to require such petitions to state whether there are children, either born or adopted, under sixteen (16) years of age or an unborn child or chil-

dren expected and if so, to give full information as to such minors, making it the duty of the Courts having jurisdiction of such suits to inquire into the status of such children, if divorce be granted; empowering such Courts to make orders and decrees, for their support and maintenance until they reach sixteen (16) years of age; to determine and fix the amounts to be paid, the times of payment, to whom to be made, to have authority to enforce all decrees by contempt proceedings, and to have control of such decrees, to alter them when justice requires, to ascertain the ability to pay, to enforce the duty of the parents to support their children under sixteen (16) years of age after divorce, providing for the procedure; providing for the filing of sworn monthly reports with the Clerk of the Court for approval by the Judge; providing this Act shall be cumulative of all other laws on the same subject; and declaring an emergency."

H. B. No. 807, A bill to be entitled "An Act relating to the salaries of all State Officers except the salaries and other compensation of District Judges and except those Constitutional State Officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court, and the Court of Criminal Appeals out of the fees of office; and specifically suspending all laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 809, A bill to be entitled "An Act amending Article 1302, Revised Civil Statutes, 1925, by adding a new section to provide that corporation may be created for the purpose of owning, operating and maintaining dehydrating plants and dehydrating blending plants for certain purposes; and declaring an emergency."

H. B. No. 831, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before pay-

ment of any claims shall be paid from the funds hereby appropriated the same shall have the approval of the State Comptroller and Attorney General; and provided further that any claim involving the refund of a franchises tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

H. B. No. 840, A bill to be entitled "An Act to grant permission to Refugio County to use and improve Copano Bay and the shoreline thereof adjacent to proposed St. Mary's County Park in Refugio County, and to use silt, mud, and shell dredged from the bay to fill highland, and make new land, and to construct, erect, and operate improvements, extending wholly or partially into said bay; granting title to said County to all improvements, including made-land, constructed by it; and authorizing said County to grant concessions to private parties; providing such improvements or concessions are not to encroach upon lands not included in the County Park, without permission of the owners, and authorizing Commissioners' Court of said County to grant concessions to private parties in connection therewith; and declaring an emergency."

H. B. No. 854, A bill to be entitled "An Act to make it unlawful to take or kill wild quail or mourning doves for a period of three (3) years in Kent County, Texas, fixing penalty; providing a rule of evidence; and declaring an emergency."

H. B. No. 855, A bill to be entitled "An Act relating to the County Court of Jefferson County at Law; amending Acts 1919, Chapter 27, Section 4, the same being Article 1970-114, Revised Civil Statutes of Texas, 1925, with reference to the terms of said Court; amending Acts 1919, Chapter 27, Section 5, same being Article 1970-115, Revised Civil Statutes of Texas, 1925, with reference to the election, tenure and qualifications of the Judge of said Court; amending Acts 1937, Chapter 377, Section 1, same being Article 1970-122, Revised Civil Statutes of Texas, 1925, with reference to the salary of the Judge of said Court; providing a saving clause; and declaring an emergency."

H. B. No. 847, A bill to be entitled "An Act fixing the compensation and

expense allowance for Grand Jury Bailiffs in certain counties; designating the funds from which such compensation may be paid; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 848, A bill to be entitled "An Act amending Article 1302, Chapter 1, Title 32 of the Revised Civil Statutes of 1925, by adding thereto a new subsection to be numbered and designated as subdivision '39a,' providing for the formation of private corporations to buy, sell produce, store, transport and process fish, oysters, shrimp and other aquatic products, and the transaction of all business heretofore set out; and declaring an emergency."

H. B. No. 527, A bill to be entitled "An Act amending Article 1373 of the Penal Code, as amended by Acts, 1945, 49th Legislature, page 395, Chapter 257, Section 2, making it a felony to throw out, scatter or put poison upon the land of another, or upon any public road or highway; fixing a penalty; and declaring an emergency."

H. B. No. 550, A bill to be entitled "An Act to amend an Act entitled 'An Act to aid Wharton County comprising one district and that portion of Matagorda County embraced in Commissioners' Precincts Numbers 1, 2 and 4 as described in the minutes of the Commissioners' Court of said County, comprising another district for the remaining portion of the period of time covered by the release of taxes to said district as made by Chapter 48, Acts Thirty-eighth Legislature, First, Second and Third Called Sessions, pages 102 and 105 (Senate Bill No. 54) by donating and appropriating to said districts all the State ad valorem taxes levied and collected in said districts for general State purposes on all property, both real and personal in said districts for the purpose of creating a fund for the payment of interest upon and creating a sinking fund for that certain issue or issues of bonds that were voted and issued under the authority of Chapter 48, Acts Thirty-eighth Legislature, First, Second and Third Called Sessions and declaring an emergency,' by amending Section 2 and Section 6 to authorize the use of such donated taxes in repairing improving and extending levees and

protections constructed with proceeds of such bonds, repealing Section 5 thereof; and declaring an emergency."

H. B. No. 545, Providing procedure by summary sale for enforcement and foreclosure of tax liens on real property by the State, county, cities, towns, districts and all other subdivisions of government with taxing power, eliminating the necessity of foreclosure of tax liens by suits in courts; etc., and declaring an emergency.

H. B. No. 789, Authorizing the State Board of Control to negotiate for and to acquire by gift or leasehold from the United States Government, for and on behalf of the State of Texas, for use in the eleemosynary service, in the establishment of a State School for Cerebral Palsied, lands known as the Hospital Unit of North Camp Hood, and all lands surrounding said Hospital Unit deemed a part of said Hospital Unit, and all buildings and construction and installations both above and underground in said area, and the Board of Control is hereby authorized to utilize, alter, sell or use in any manner, said properties for the purpose of establishing the said School for Cerebral Palsied, and to accept any gifts of any moneys or personal properties wherever located or by whomever donated and to take title thereto for and in the name of the State of Texas for benefit of said School for Cerebral Palsied; and declaring an emergency.

H. C. R. No. 132, Expressing appreciation to the management of the Stephen F. Austin Hotel.

H. C. R. No. 133, Urging the Texas delegation in Congress to support the bill raising the subsistence paid to veterans, and instructing the Chief Clerk to mail a copy of this Resolution to each of the Members of the Texas delegation in Washington.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

House Bill 310 on Second Reading

Senator Stewart moved to suspend the regular order of business to take up House Bill No. 310 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Brown	Knight
Bullock	Lane
Carney	Moffett
Chadick	Phillips
Cousins	Proffer
Crawford	Stewart
Harris	Taylor
Hazlewood	Vick
Jones	Winfield
Kelly of Tarrant	York

Nays—4

Aikin	Morris
Hardeman	Weinert

Absent

Kelley of Hidalgo	Strauss
Parrish	Tynan

Absent—Excused

Mauritz	Stanford
Ramsey	

The President then laid before the Senate on its second reading and passage to third reading:

H. B. No. 310, A bill to be entitled "An Act creating two additional District Courts in Harris County, Texas, to be known as the 128th and 129th District Courts; adjusting the business of the existing District Courts to the business thereof; providing for the appointment of District Judges therefor; amending so much of Article 199, of the Revised Civil Statutes of Texas, as relates to the District Courts of Harris County, Texas, as amended by Acts 1927, Fortieth Legislature, page 135, Chapter 88, Section 1, and by Acts 1930, Forty-first Legislature, Fifth Called Session, page 131, Chapter 14, and by Acts 1939, Forty-sixth Legislature, Regular Session, page 184, Chapter 18, making an appropriation to pay the salaries of said Judges; repealing all laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

The bill was read second time.

Senator Phillips offered the following amendment to the bill:

Amend House Bill No. 310 by adding the following language immediately after the words "District Judges" in line 7, Sec. 2 of said bill:

"Provided that said District Courts shall cease to exist upon the expira-

tion of four years from the effective date of this Act."

The amendment was adopted.

Senator Phillips offered the following amendment to the bill:

Amend House Bill No. 310 by striking out the words and figures "128th," wherever they appear in said bill and substituting in lieu thereof the words and figures "133rd."

The amendment was adopted.

On motion of Senator Phillips, and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

Senator Hardeman offered the following amendment to the bill:

Amend House Bill No. 310 by striking out the words and figures "Two (2)" in Sec. 1 and insert the words and figures "one (1)" also strike out the words and figures "two (2)" in Sec. 2, line 2, and insert in lieu the words and figures "one (1)."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—10

Aikin	Jones
Bullock	Morris
Carney	Taylor
Hardeman	Weinert
Harris	Winfield

Nays—15

Brown	Moffett
Chadick	Phillips
Cousins	Stewart
Crawford	Strauss
Hazlewood	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	York
Lane	

Absent

Knight	Proffer
Parrish	

Absent—Excused

Mauritz	Stanford
Ramsey	

House Bill No. 310 was passed to third reading.

Motion to Place House Bill 310 on Third Reading

Senator Stewart moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 310 be placed on its third reading and final passage.

Question—Shall the motion prevail?

Bill Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bill:

H. B. No. 790, A bill to be entitled "An Act amending Senate Bill No. 317, Chapter 379, Acts of the 49th Legislature, Regular Session, as amended by Senate Bills Nos. 2 and 9, of the 50th Legislature, 1947, making an additional appropriation to the Executive Department and the Secretary of State to meet the additional expenses of said departments during and for the period of the last five (5) months of the fiscal year ending August 31, 1947; providing the purposes and amounts of said appropriations; making an appropriation to the Attorney General's Department for the last five (5) months of the fiscal year, ending August 31, 1947; and declaring an emergency."

Adjournment

On motion of Senator Strauss, the Senate, at 2:45 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

SIXTY-NINTH DAY

(Tuesday, May 20, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Jones
Brown	Kelley of Hidalgo
Bullock	Kelly of Tarrant
Carney	Knight
Chadick	Lane
Cousins	Moffett
Crawford	Morris
Hardeman	Parrish
Harris	Phillips
Hazlewood	Proffer

Ramsey
Stanford
Stewart
Strauss
Taylor

Tynan
Vick
Weinert
Winfield
York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Jones, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Senate Resolution 109

(Extending Privileges of Floor)

Senator Kelly of Tarrant offered the following resolution:

Whereas, The Honorable Stewart W. Hellman is in the Capitol; and

Whereas, This distinguished citizen of Fort Worth, Tarrant County, Texas, is the Tarrant County Democratic Chairman; and

Whereas, The Senate will be glad to extend him a hearty welcome; now, therefore be it

Resolved, That he be extended a cordial welcome by the Senate of Texas and be given the privilege of the floor for today.

The resolution was read and was adopted.

Reports of Standing Committees

Senator Winfield submitted the following report:

Austin, Texas,
May 20, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation, to whom was referred House Bill No. 67, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the committee amendment attached and be printed.

WINFIELD, Chairman.

Senator Tynan submitted the following report:

Austin, Texas,
May 19, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Pub-